IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

Crl.Rev.Pet.No. 774 of 2007()

CRA.564/2005 of ADDL.SESSIONS COURT-II, KOZHIKODE
ST.747/2001 of JUDL. MAGISTRATE OF FIRST CLASS-I, KOZHIKODE

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REVN. PETITIONER: APPELLANT/ACCUSED;

PATHUMMA, CHICKEN STALL,
FISH MARKET, MAVOOR, KOZHIKODE.

BY ADV. SRI.P.SAMSUDIN

RESPONDENTS: COMPLAINANT & STATE:

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1. JANGIR SINGH MAHESH,
   S/O.AMALA SINGH, THEVARUPARAMBATH,
   PERUVAYAL, PANCHAYATH P.O.,
   PERUVAYAL, CALICUT.

2. STATE OF KERALA, REPRESENTED BY
   THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY ADV. SRI. C.M. KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 21/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 774 OF 2007

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Dated this the 21th day of February 2007

O R D E R

The revision petitioner stands convicted for the offence under section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to undergo imprisonment till rising of the court and to pay a compensation of Rs. 80,000 and in default to undergo simple imprisonment for two months.

2. It is submitted that the cheque amount is only Rs.65,000/-. The revision petitioner has sought for modification of sentence and for time to make the payment. In the circumstances, sentence is modified with respect to the amount of compensation. The accused shall pay Rs.65,000/-, the cheque amount, towards compensation and in default she shall undergo simple imprisonment for two months. The revision petitioner is granted four months time from today onwards to make the payment. She shall appear before Judicial First Class Magistrate I, Kozhikode on 22.06.2007 to receive sentence.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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